

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST  
LITIGATION

Civil No. 18-cv-01776-JRT-HB

This Document Relates to:

All Actions

**STIPULATION TO AMEND THE PRETRIAL SCHEDULING  
ORDER REGARDING DEADLINE ON STRUCTURED DATA**

The undersigned parties (“Parties”) stipulate and hereby request, under Federal Rule of Civil Procedure 16(b)(4) and D. Minn. L.R. 16.3, to amend the Court’s November 12, 2020 Order on Stipulation Regarding Pretrial Scheduling Order (Dkt. No. 532), amended twice by a Stipulation to Amend the Pretrial Scheduling Order Regarding Deadline on Structured Data (Dkt. Nos. 636, 695), to extend **from March 2, 2021 to March 9, 2021**, the deadline to reach agreement on production of structured data or seek relief from the Court.

Good cause exists for amendment of the schedule to extend such deadline as set forth below:

1. The first deadline to reach agreement on production of structured data or seek relief from the Court was January 15, 2021.
2. On January 15, 2021, the Court extended this deadline to February 23, 2021.
3. On February 23, 2021, the Court extended this deadline to March 2, 2021.
4. The parties have had substantive discussions on the production of structured data and continue to make progress on reaching a resolution or, in the alternative, limiting the issues to be presented to the Court. But due to a variety of factors, including a number of other contemporaneous discovery-related deadlines that the parties are diligently addressing, and the availability of both counsel and clients, the parties have not been able to complete the meet-and-confer process in their efforts to reach agreement on the production of structured data.
5. The Parties therefore collectively request that the deadline to reach agreement on production of structured data or seek relief from the Court be moved to **March 9, 2021**. The parties do not request that any other deadline under the Pretrial Scheduling Order be moved or extended.
6. This request is being made to further efficient and cooperative case management. It is not being made for the purpose of delay, and the requested extension would not delay the resolution of this matter or prejudice any party.

DATED this 2nd day of March, 2021

/s/ Bobby Pouya

Bobby Pouya  
Clifford H. Pearson  
Daniel L. Warshaw  
Michael H. Pearson  
PEARSON SIMON & WARSHAW, LLP  
15165 Ventura Boulevard, Suite 400  
Sherman Oaks, CA 92403  
Telephone: (818) 788-8300  
Facsimile: (818) 788-8104  
cppearson@pswlaw.com  
dwarshaw@pswlaw.com  
bpouya@pswlaw.com  
mpearson@pswlaw.com

Melissa S. Weiner (MN #0387900)  
Joseph C. Bourne (MN #0389922)  
PEARSON, SIMON & WARSHAW, LLP  
800 LaSalle Avenue, Suite 2150  
Minneapolis, MN 55402  
Telephone: (612) 389-0600  
Facsimile: (612) 389-0610  
mweiner@pswlaw.com  
jbourne@pswlaw.com

Bruce L. Simon  
PEARSON, SIMON & WARSHAW, LLP  
350 Sansome Street, Suite 680  
San Francisco, CA 94104  
Telephone: (415) 433-9000  
Facsimile: (415) 433-9008  
bsimon@pswlaw.com

Respectfully submitted,

/s/ Arielle S. Wagner

Arielle S. Wagner (MN #0398332)  
W. Joseph Bruckner (MN #0147758)  
Brian D. Clark (MN #0390069)  
Craig S. Davis (MN #0148192)  
Simeon A. Morbey (MN #0391338)  
Stephen M. Owen (MN # 0399370)  
Stephanie A. Chen (MN #0400032)  
LOCKRIDGE GRINDAL NAUEN P.L.L.P.  
100 Washington Avenue South, Suite 2200  
Minneapolis, MN 55401  
Telephone: (612) 339-6900  
Facsimile: (612) 339-0981  
aswagner@locklaw.com  
wjbruckner@locklaw.com  
csdavis@locklaw.com  
bdclark@locklaw.com  
samorbey@locklaw.com  
smowen@locklaw.com  
sachen@locklaw.com

***Co-Lead Class Counsel for Direct Purchaser  
Plaintiffs***

/s/ Shana E. Scarlett

Shana E. Scarlett  
HAGENS BERMAN SOBOL SHAPIRO  
LLP  
715 Hearst Avenue, Suite 202  
Berkeley, CA 94710  
Telephone: (510) 725-3000  
Facsimile: (510) 725-3001  
shanas@hbsslaw.com

Steve. W. Berman  
Breanna Van Engelen  
HAGENS BERMAN SOBOL SHAPIRO  
LLP  
1301 2nd Avenue, Suite 2000  
Seattle, WA 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594  
steve@hbsslaw.com  
breannav@hbsslaw.com

/s/ Brittany N. Resch

Daniel E. Gustafson (#202241)  
Daniel C. Hedlund (#258337)  
Michelle J. Looby (#388166)  
Britany N. Resch (#0397656)  
GUSTAFSON GLUEK PLLC  
120 South 6th Street, Suite 2600  
Minneapolis, MN 55402  
Telephone: (612) 333-8844  
Facsimile: (612) 339-6622  
dgustafson@gustafsongluek.com  
dhedlund@gustafsongluek.com  
mlooby@gustafsongluek.com  
bresch@gustafsongluek.com

***Co-Lead Counsel for Consumer Indirect  
Purchaser Plaintiffs***

/s/ Shawn M. Raiter

Shawn M. Raiter (MN# 240424)  
LARSON KING, LLP  
2800 Wells Fargo Place 30 East Seventh  
Street St. Paul, MN 55101  
Telephone: (651) 312-6518  
sraiter@larsonking.com

Jonathan W. Cuneo  
Joel Davidow Blaine Finley  
Yifei "Evelyn" Li  
CUNEO GILBERT & LADUCA, LLP  
4725 Wisconsin Avenue NW, Suite 200  
Washington, DC 20016  
Telephone: (202) 789-3960  
jonc@cuneolaw.com joel@cuneolaw.com  
bfinley@cuneolaw.com  
evelyn@cuneolaw.com

***Co-Lead Counsel for Commercial and  
Institutional Indirect Purchaser Plaintiffs***

/s/ Kyle G. Bates

Kyle G. Bates (USDCPR-306412)  
Todd M. Schneider  
Matthew S. Weiler  
SCHNEIDER WALLACE  
COTTRELL KONECKY LLP  
2000 Powell St., Suite 1400  
Emeryville, California 94608  
Telephone: (415) 421-7100  
Facsimile: (415) 421-7105  
kbates@schneiderwallace.com  
tschneider@schneiderwallace.com  
mweiler@schneiderwallace.com

Peter B. Schneider  
SCHNEIDER WALLACE  
COTTRELL KONECKY LLP  
3700 Buffalo Speedway, Suite 300  
Houston, Texas 77098  
Telephone: (713) 338-2560  
Facsimile: (415) 421-7105  
pschneider@schneiderwallace.com

Ines Carrau Martinez Attorney General  
Johan M. Rosa Rodríguez PR Bar No.  
16819  
Assistant Attorney General Antitrust  
Division  
Puerto Rico Department of Justice  
P.O. Box 9020192  
San Juan, Puerto Rico 00902-0192 Tel:  
(787) 721-2900, ext. 2600, 2601  
Fax: (787) 721-3223  
jorosa@justicia.pr.gov

***Counsel for the Commonwealth of  
Puerto Rico***

/s/ Patrick J. Ahern

Patrick J. Ahern  
AHERN AND ASSOCIATES, P.C.  
Willoughby Tower  
8 South Michigan Ave., Suite 3600  
Chicago, IL 60603  
Telephone: (312) 404-3760  
patrick.ahern@ahernandassociatespc.com

***Counsel for Direct Action Plaintiffs  
Winn-Dixie Stores, Inc. and Bi-Lo  
Holdings, LLC***

/s/ Mark L. Johnson

Mark L. Johnson (#0345520)  
Virginia R. McCalmont (#0399496)  
GREENE ESPEL PLLP  
222 South Ninth Street, Suite 2200  
Minneapolis, MN 55402  
(612) 373-0830  
mjohnson@greeneespel.com  
vmccalmont@greeneespel.com

Daniel Laytin, P.C. (*pro hac vice*)  
Christa Cottrell, P.C. (*pro hac vice*)  
Christina Briesacher (*pro hac vice*)  
KIRKLAND & ELLIS LLP  
300 North LaSalle  
Chicago, IL 60654  
(312) 861-2000  
daniel.laytin@kirkland.com  
christa.cottrell@kirkland.com  
christina.briesacher@kirkland.com

***Counsel for Clemens Food Group,  
LLC and The Clemens Family  
Corporation***

/s/ Donald G. Heeman

Donald G. Heeman (#0286023)  
Jessica J. Nelson (#0347358)  
Randi J. Winter (#0391354)  
SPENCER FANE LLP  
100 South Fifth Street, Suite 2500  
Minneapolis, MN 55402  
(612) 268-7000  
dheeman@spencerfane.com  
jnelson@spencerfane.com  
rwinter@spencerfane.com

Stephen R. Neuwirth (*pro hac vice*)  
Michael B. Carlinsky (*pro hac vice*)  
Sami H. Rashid (*pro hac vice*)  
Richard T. Vagas (*pro hac vice*)  
David B. Adler (*pro hac vice*)

/s/ Richard A. Duncan

Richard A. Duncan (#0192983)  
Aaron D. Van Oort (#0315539)  
Craig S. Coleman (#0325491)  
Emily E. Chow (#0388239)  
Isaac B. Hall (#0395398)  
Bryan K. Washburn (#0397733)  
FAEGRE DRINKER BIDDLE &  
REATH LLP  
2200 Wells Fargo Center 90 South  
Seventh Street  
Minneapolis, MN 55402-3901  
(612) 766-7000  
richard.duncan@faegredrinker.com  
aaron.vanoort@faegredrinker.com  
craig.coleman@faegredrinker.com  
emily.chow@faegredrinker.com  
isaac.hall@faegredrinker.com  
bryan.washburn@faegredrinker.com

***Counsel for Hormel Foods  
Corporation and Hormel Foods, LLC***

/s/ William L. Greene

William L. Greene (#0198730)  
Peter J. Schwingler (#0388909)  
Jon M. Woodruff (#0399453)  
STINSON LLP  
50 South Sixth Street, Suite 2600  
Minneapolis, MN 55402  
(612) 335-1500  
william.greene@stinson.com  
peter.schwingler@stinson.com  
john.woodruff@stinson.com  
J. Nicci Warr (*pro hac vice*)

STINSON LLP  
7700 Forsyth Blvd., Suite 1100 St.  
Louis, MO 63105  
(314) 863-0800  
nicci.warr@stinson.com

**QUINN EMANUEL URQUHART &  
SULLIVAN, LLP**

51 Madison Avenue, 22nd Floor New  
York, NY 10010

(212) 849-7000

stephenneuwirth@quinnemanuel.com

michaelcarlinsky@quinnemanuel.com

samirashid@quinnemanuel.com

richardvagas@quinnemanuel.com

davidadler@quinnemanuel.com

***Counsel for Seaboard Foods LLC and  
Seaboard Corporation***

***Counsel for JBS USA Food Company***

/s/ John A. Cotter

John A. Cotter (#0134296)

John A. Kvinge (#0392303)

LARKIN HOFFMAN DALY &  
LINDGREN LTD.

8300 Norman Center Drive, Suite 1000

Minneapolis, MN 55427-1060

(952) 835-3800

jcotter@larkinhoffman.com

jkvinge@larkinhoffman.com

Richard Parker (*pro hac vice*)

Josh Lipton (*pro hac vice*)

GIBSON, DUNN & CRUTCHER, LLP

1050 Connecticut Avenue, N.W.

Washington, D.C. 20036-5306

(202) 955-8500

rparker@gibsondunn.com

jlipton@gibsondunn.com

Brian Robison (*pro hac vice*)

GIBSON, DUNN & CRUTCHER, LLP

2001 Ross Avenue, Suite 2100

Dallas, TX 75201-6912

(214) 698-3370

brobison@gibsondunn.com

***Counsel for Smithfield Foods, Inc.***

/s/ Gene Summerlin

Gene Summerlin (*pro hac vice*)

Aaron Chapin (#06292540)

Marnie Jensen (*pro hac vice*)

Ryann Glenn (*pro hac vice*)

Kamron Hasan (*pro hac vice*)

Sierra Faler (*pro hac vice*)

HUSCH BLACKWELL LLP

13330 California St., Suite 200

Omaha, NE 68154

(402) 964-5000

gene.summerlin@huschblackwell.com

marnie.jensen@huschblackwell.com

ryann.glenn@huschblackwell.com

kamron.hasan@huschblackwell.com

sierra.faler@huschblackwell.com

***Counsel for Triumph Foods, LLC***

/s/ David P. Graham

David P. Graham (#0185462)  
DYKEMA GOSSETT PLLC  
4000 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402  
(612) 486-1521  
dgraham@dykema.com

Rachel J. Adcox (*pro hac vice*)  
Tiffany Rider Rohrbaugh (*pro hac vice*)  
AXINN, VELTROP &  
HARKRIDER LLP  
950 F Street, N.W.  
Washington, D.C. 20004  
(202) 912-4700  
radcox@axinn.com  
trider@axinn.com

***Counsel for Tyson Foods, Inc.,  
Tyson Prepared Foods, Inc. and  
Tyson Fresh Meats, Inc.***

/s/ Peter H. Walsh

Peter H. Walsh (#0388672)  
HOGAN LOVELLS US LLP  
80 South Eighth Street, Suite 1225  
Minneapolis, MN 55402  
T. (612) 402-3000  
F. (612) 402-3001  
peter.walsh@hoganlovells.com

William L. Monts (*pro hac vice*)  
Justin W. Bernick (*pro hac vice*)  
HOGAN LOVELLS US LLP  
Columbia Square  
555 Thirteenth Street, NW  
Washington, D.C. 20004  
(202) 637-5600  
william.monts@hoganlovells.com  
justin.bernick@hoganlovells.com

***Counsel for Agri Stats, Inc.***